

25 February 1954

MEMORANDUM FOR: OFFICE OF THE GENERAL COUNSEL

ATTENTION : [ ] 25X1A9a

SUBJECT : Conversion of Annual Leave to Leave Without Pay

25X1A6a

1. On 8 December 1953, the [ ] Mission published a memorandum on Leave Without Pay, a copy of which is attached. Paragraph 5 of this memorandum states that Headquarters has advised the [ ] Mission that, in cases involving employees who have taken so much annual leave in the field during their two-year tour that they lack a sufficient annual leave balance, the [ ] Mission may convert some of the leave already taken to LWOP so that their leave balances will be increased sufficiently to make them eligible for home leave. 25X1A6a

25X1A6a

2. The only message I am able to find which Headquarters sent the [ ] Mission on this subject is contained in DIR 16548, a copy of which is attached. This cable did authorize the retroactive conversion of annual leave to leave without pay for an SR employee so that he might be eligible for home leave.

3. EE would appreciate an opinion from your Office as to the question of legality and/or propriety of a general instruction containing the information in paragraph 5 of the attached [ ] Mission memorandum. 25X1A6a

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4. Subsequent to publishing its memorandum of 8 December, the [ ] Mission authorized home leave for four employees for whom annual leave already taken had to be converted to leave without pay so that their annual leave balances were sufficient to qualify them for home leave privileges. These four cases are now under review in Finance Division and have, perhaps, been discussed with members of your Office.

25X1A9a

[ ]  
EE/ADMIN

Attachments:

25X1A6a

[ ] Mission Memorandum (8 Dec 53)  
DIR 16548 (OUT 32915)

26 February 1951

MEMORANDUM FOR: OFFICE OF GENERAL COUNSEL

ATTENTION : [REDACTED] 25X1A9a

SUBJECT : Home Leave Privileges for Married Personnel

25X1A6a

1. In several instances recently, female employees of the [REDACTED] 25X1A6a and [REDACTED] Missions have married male employees of these Missions, and have presented questions regarding their home leave privileges concerning which we would appreciate your advice.

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25X1A9a

25X1C4a

25X1A6a

25X1C4a

25X1A6a

2. One case involves [REDACTED] 25X1A9a [REDACTED], both of the [REDACTED] Mission. Immediately prior to their marriage, [REDACTED] was notified by the Department of State that she was authorized to return to Washington on home leave having completed a two-year tour [REDACTED]. She has actually performed this travel and is now in Ohio. After completing her home leave, she expects to return to [REDACTED] resign from the Department of State, and continue her employment with the [REDACTED] Mission [REDACTED]. Her husband will become eligible for home leave in about a year. We would appreciate your comment as to the legality of her home leave travel, which has already occurred, and also a clarification of the rights and privileges of home leave she will accrue as a result of her continuing employment with the Agency.

3. In another case, a female employee eligible for home leave benefits, married a male employee, likewise eligible for home leave benefits. However, they chose to travel to the United States at different times and to different destinations. We, therefore, present the question for your determination as to whether a wife, who is also an employee who has earned home leave benefits, may select a legal residence in the United States for home leave purposes which is different from the legal residence of her husband.

4. Another case/

h. Another case, which has not yet arisen, but which may present itself, concerns a female employee of the [ ] Mission who has just returned to the United States as a dependent wife of a male employee on home leave. The wife made the trip on a leave without pay basis in order to preserve her annual leave balances. This presents the question as to whether in another year, when she has completed two years employment in [ ] she will be entitled to home leave privileges as a result of her own employment. In other words, does a wife, who is also an employee, occupy a dual status with respect to home leave privileges? May she accompany her husband during his home leave travel as his dependent, and also return at a different time for home leave on the basis of privileges which she herself has earned? 25X1A6a

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5. I would be very glad to discuss any additional details of the above problems which you may care to have.

[ ]  
EE/ADMIN

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EE/ADMIN, [ ]:pm 25X1A9a

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